

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

7 WAYMO LLC, CASE NO. 3:17-cv-00939-WHA

8 Plaintiff,  
9 vs.

CASE NO. 3:17-cv-00939-WHA

**ORDER PURSUANT TO RULE 502, FED.  
R. EV.**

10 UBER TECHNOLOGIES, INC.;  
11 OTTOMOTTO LLC; OTTO TRUCKING  
LLC,

#### Defendants.

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WHEREAS, the parties have agreed to exchange information about the default settings for chat applications with “on” and “off the record” settings, and whether their respective litigation holds in this case address those applications and settings in any way;

WHEREAS, the parties have also agreed that the disclosure of this information will not constitute a waiver of the attorney-client privilege, work product or any other applicable privilege or protection in any way for this or any other litigation, arbitration or investigation;

WHEREAS, the parties have also agreed that they will not argue that the "sword/shield" doctrine requires further disclosure of privileged information due to the limited disclosure agreed-upon herein;

IT IS HEREBY ORDERED, pursuant to Rule 502, Fed. R. Ev., that the disclosure described herein will not operate as a waiver of any applicable privileges or protections in this litigation or any other federal or state proceeding.

IT IS STIPULATED.

DATED: December 11, 2017

Jacqueline Scott Corley  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge